



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 4  
ATLANTA FEDERAL CENTER  
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ATLANTA, GEORGIA 30303-8960

May 22, 2012

Dr. Roy E. Crabtree  
Regional Administrator  
Southeast Regional Office  
National Oceanic and Atmospheric Administration  
263 13<sup>th</sup> Avenue South  
St. Petersburg, Florida 33701

**Subject: EPA NEPA Review Comments on NOAA's FSEIS for "Amendment 11 to the Fishery Management Plan for Spiny Lobster in the Gulf of Mexico and South Atlantic"; CEQ #20120128**

Dear Dr. Crabtree:

The U.S. Environmental Protection Agency (EPA) has reviewed the subject National Oceanic and Atmospheric Administration (NOAA) Final Supplemental Environmental Impact Statement (FSEIS) in accordance with our responsibilities under Section 102(2)(C) of the National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act. EPA understands that the spiny lobster fishery management plan (FMP) is the jointly managed by the Gulf of Mexico and South Atlantic Fishery Management Councils (Councils). EPA previously provided comments on the DEIS and FEIS for Amendment 10 of the spiny lobster fishery management plan (FMP). EPA understands that NOAA chose to postpone decisions on two actions proposed in Amendment 10 related to protection of elkhorn and saghorn corals, and Amendment 11 provides follow-up on these actions.

EPA previously provided comments on the two actions proposed in the DSEIS which included: 1) limit spiny lobster fishing in certain areas in the EEZ off the Florida Keys to protect elkhorn and staghorn corals, and 2) require gear markings for spiny lobster trap lines in the EEZ off Florida, which would allow greater accuracy in identifying fishery interaction impacts to benthic habitats and protected species, leading to more targeted measures to reduce the level and severity of those impacts.<sup>1</sup>

Based on our review of the FSEIS, EPA has determined that NOAA has adequately responded to our comments on the DSEIS. We appreciate NOAA's efforts to respond to our comments in a dedicated section of the FSEIS. EPA supports NOAA on Amendment 11 and gives deference to their fishery expertise.

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<sup>1</sup> p. x and xiii

EPA appreciates the opportunity to review this FSEIS. Should NOAA have questions regarding our comments on the Amendment actions, please feel free to contact Dan Holliman at 404/562-9531 or [holliman.daniel@epa.gov](mailto:holliman.daniel@epa.gov) of my staff.

Sincerely,

A handwritten signature in blue ink, appearing to read "Mueller", with a stylized flourish at the end.

Heinz J. Mueller  
Chief, NEPA Program Office  
Office of Policy and Management